

Will the broadcast flag interfere with consumers ability to make copies of DTV content for their personal use, either on personal video recorders or removable media?

Although copyrighted material has a right to be protected, the implimentation of broad methods may interfere on a consumers ability to have legal access and use of this material. Even making a copy on a device in one room of my home to be watched on a device in another room of my house might be prevented by the broad limitations involked by a broadcast flag, even though this would not be a violation of copyright laws in the US.

Would the digital flag interfere with consumers ability to send DTV content across networks, such as home digital networks connecting digital set top boxes, digital recorders, digital servers and digital display devices?

The entertainment powers in Hollywood and several Computer manufacturers would like to gain a stronghold on digital information with proprietary methods of access and encryption techniques by which countermeasures would be made illegal. Such measures could significantly infringe on the rights of those who have purchased or recorded such media for their own legal use.

As home computer and entertainment systems continue to mve towards digital signal processing and converging technologies, I feel that the proposal, to protect the copyrights of the owners will disallow end users to utilize and enjoy this information without interference. As electronics with DSP would have unique identifiers, why would it be fair use to limit access to one device in the house? The broad intention of the broadcast flag will give overwhelming control to Hollywood while most likely affecting the rights of the end-user. If passed, it would criminalize anyone who might otherwise, under the fair use laws, be allowed to enjoy and use the information for their private use.

Would the broadcast flag requirement limit consumers ability to use their existing electronic equipment (equipment not built to look for the flag) or make it difficult to use older components with new equipment that is compliant with the broadcast flag standard?

If the industry would force the use of broadcast flags, it might render the use of exisiting electronics to become useless or no longer fully operative. By having the power to manipulate the flow and control of information, the obsolescence of current and future equipment may be an end result, again hurting the legal consumer of copyrighted products.

There are times when information has passed into public domain or created specifically for public access. If this material is not and could not be copyrighted any longer my the companoes that control such media, and would not be profitable, then the public might be deprived the ability to gain access.

Would a broadcast flag requirement limit the development of future equipment providing consumers with new options?

With possible limitations on digital encoding, technology, encryption and licensing, radio hobbieists, home programmers and smaller computer or media based businesses might be unable to develop new technologies and materials.

Having to buy a license or the right to use a computer with proprietary operating systems might prevent important competition to develop. Many technological advances, in the past and in the present, do not only occur in the big labs of large corporations. By making illegal or hampering the modification, development or experimentation of digital communications and signal processing, many inventors and smaller companies would be

criminalized. The broadcast flag, its implications and the other restrictions proposed by MPAA and RIAA would not only target their copyrighted material, but would limit many digital devices which would be lumped in to the proposed broad legislation. Tinkering on radio devices such as in Amateur Radio and software development should not be criminalized by such laws or blocked by related technology.

What will be the cost impact, if any, that a broadcast flag requirement would have on consumer electronics equipment?

Having to modify or replace consumer electronics that would require a broadcast flag would be a costly measure to all consumers. The cost of limiting fair use would also be large.

Other Comments:

Illegal copying and illegal use of copyrighted material, such as owned or controlled by MPAA and RIAA should be prevented. There are already laws that would fine, prevent and limit illegal use. In our tried and true legal system, a fair trial and "innocent until proven guilty" applies. Persons who use copyrighted material legally obtained and utilizing such material legally and under the fair use acts should not have to be criminalized by the sweeping generalizations and blind controls of things such as broadcast flags. Although our legal system is not perfect, it can allow for prosecution and limitations placed on criminals without affecting, criminalizing or limiting the legal actions of citizens. In researching the guidelines asked to be imposed by broadcast flags and legislature designed to outlaw and/or restrict Analog to Digital Converters (such as used by electronic/radio hobbyists and inventors), the copyright protection of MPAA, RIAA and software/hardware developers will come at the risk of limiting legal access and rights of our citizens.